

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 26, 2009**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order on January 26, 2009 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS PRESENT: Judith E. Piersall, R.N., B.S.N., Chairperson
Joyce A. Hahn, PhD., APRN, NEA- BC
John M. Horn, L.P.N.
G. Maxine Ponn, L.P.N.
Patricia M. Selig, R.N., F.N.P., Ph.D.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF A QUORUM: With five members of the Board present, a quorum was established.

FORMAL HEARINGS: **Margaret T. Turner, R.N. 0001-098754**
Ms. Turner appeared, represented by her attorney, Melvin Williams. Mr. Williams proposed a settlement offer in the nature of a consent order in lieu of a formal hearing.

James Schliessmann, Assistant Attorney General and Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board.

Mr. Williams presented proposed findings of fact and conclusions of law, and sanction, with no objection by the Commonwealth.

CLOSED MEETING: Ms. Ponn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:52 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Turner. Additionally, Ms. Ponn moved that Ms. Douglas, Ms. Power, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:15 P.M.

Ms. Ponn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing reject the proposed settlement offer provided by Mr. Williams on behalf of Ms. Turner.

The motion was seconded and carried unanimously.

ACTION:

Dr. Hahn moved that the Board of Nursing offer a consent order for indefinite suspension of the registered nurse license of Margaret Turner, with said suspension stayed contingent upon her entry into a recovery monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Turner and the Board.

ADJOURNMENT:

The Board adjourned at 2:17 P.M.

Jodi P. Power, R.N., J.D.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
INFORMAL CONFERENCE COMMITTEE
January 26, 2009**

TIME AND PLACE: The meeting of the Informal Conference Committee of the Board of Nursing was convened at 9:00 A.M., on January 26, 2009, in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chairperson
John M. Horn, L.P.N.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director

OTHERS PRESENT: Cynthia Gaines, Adjudication Specialist

**CONFERENCES
SCHEDULED:** **Carol M. Meeks, C.N.A. Applicant**
Ms. Meeks appeared.

CLOSED MEETING: Mr. Horn moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Meeks. Additionally, Mr. Horn moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:30 A.M.

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Mr. Horn moved to recommend the Board issue an order to approve Carol Meeks application to take the NNAAP examination and issue an unrestricted certificate upon successful completion of the exam.
The motion was seconded and carried unanimously.

As provided by law, this recommendation will be presented to the Board. If accepted, this decision shall become a Final Order thirty days after service of such order on Ms. Meeks unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Meeks within such time. If service of the order is made by mail, three additional days shall be added to that

period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Kathy R. Collins, L.P.N. Reinstatement Applicant 0002-069123

Ms. Collins appeared.

CLOSED MEETING:

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:50 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Collins. Additionally, Mr. Horn moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:04 A.M.

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved to issue an order to reinstate the license of Kathy Collins to practice as a practical nurse and issue an unrestricted license.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Collins unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Collins within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Julia I. Peters, L.P.N. Applicant

Ms. Peters did not appear.

CLOSED MEETING:

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:15 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Peters. Additionally, Mr. Horn moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:15 A.M.

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved to recommend the Board issue an order to deny Julia Peters' application to take the NCLEX examination.
The motion was seconded and carried unanimously.

As provided by law, this recommendation will be presented to the Board. If accepted, this decision shall become a Final Order thirty days after service of such order on Ms. Peters unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Peters within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Desiree L. Bergman, R.M.A. Applicant

Ms. Bergman appeared.

CLOSED MEETING:

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:38 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Bergman. Additionally, Mr. Horn moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:52 A.M.

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved to recommend the Board issue an order to approve Desiree Bergman's application to take the medication aide examination and issue an unrestricted registration upon successful completion of the exam.
The motion was seconded and carried unanimously.

As provided by law, this recommendation will be presented to the Board. If accepted, this decision shall become a Final Order thirty days after service of such order on Ms. Bergman unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Bergman within such time. If service of the order is made by mail, three additional days shall be added

to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES
SCHEDULED:

Linda S. Burns, R.M.A. Applicant
Ms. Burns did not appear.

CLOSED MEETING:

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:58 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Burns. Additionally, Mr. Horn moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:14 A.M.

Mr. Horn moved that the Informal Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved to recommend the Board issue an order to deny Linda Burns' application to take the medication aide examination.

The motion was seconded and carried unanimously.

As provided by law, this recommendation will be presented to the Board. If accepted, this decision shall become a Final Order thirty days after service of such order on Ms. Meeks unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Meeks within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

ADJOURNMENT:

The Board adjourned at 11:15 A.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
January 26, 2009**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 11:45 A.M., January 26, 2009 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D.
John M. Horn, L.P.N.

STAFF PRESENT: Linda Kleiner, R.N., Discipline Case Manager

PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Mr. Horn moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:45 A.M. for the purpose of deliberation regarding case disposition. Additionally, Mr. Horn moved Ms. Kleiner attend the closed meeting because her presence in the closed meeting is deemed necessary, and her presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 12:00 NOON.

Mr. Horn moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of

Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Investigative reports regarding one registered nurse and one practical nurse were reviewed.

ACTION: Mr. Horn moved to offer the above individuals a prehearing consent order in lieu of further administrative proceedings.
The motion was seconded and carried unanimously.

ADJOURNMENT: The Committee adjourned at 12:02 P.M.

Linda Kleiner, R.N.
Discipline Case Manager